

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

09/05/2001

CLERK OF THE COURT
FORM L513

HONORABLE MICHAEL D. JONES

T. Pavia
Deputy

LC 2001-000034

FILED: _____

STATE OF ARIZONA

SERENA L CHRISTION

v.

RALPH L PAYNE

RALPH L PAYNE
13018 N 60TH PL
SCOTTSDALE AZ 85254-0000

FINANCIAL SERVICES-CCC
PHX MUNICIPAL CT
REMAND DESK CR-CCC

APPEAL RULING / REMAND

PHOENIX CITY COURT

Cit. No. 2035894

**Charge: MAINTAINING AN ACCUMULATION OF LITTER DEBRIS OR
BLIGHTING INFLUENCES (INOPERABLE UNLICENSED VEHICLES)**

DOB: 10-15-32

DOC: 05-26-00

This Court has jurisdiction of this appeal pursuant to the Arizona Constitution Article VI, Section 16, and A.R.S. Section 12-124(A).

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This matter has been under advisement and the Court has denied the request for oral argument. This Court has reviewed the record of the proceedings from the Phoenix City Court and Memoranda submitted by Appellant and counsel for Appellee.

Appellant was charged with a violation of the Phoenix City Code 39-7(A) Maintaining an Accumulation of Litter, Debris or Blighting Influences (Inoperable Unlicensed Vehicles) on his property at 13018 N 60th Place, alleged to have occurred May 26, 2000. On October 31, 2000, Appellant appeared for trial before the Hon. Deborah Griffith, Phoenix City Court Judge. Appellant's Motion to Continue the trial was denied. Appellant then changed his plea to responsible. The parties thereupon entered into an agreement regarding sentencing: that Appellant would pay a fine of \$2,500.00. That fine would be reduced to \$50.00 if Appellant brought his property within compliance of the city code within 60 days, and sentencing would be continued to January 2, 2001. The Court accepted this agreement. On January 2, 2001, Appellant's Motion to Continue Sentencing was denied. Both parties agreed that the property was still not in compliance and the Court imposed the fine of \$2,500.00. Appellant filed a timely notice of appeal.

Appellant states that there are "several points of law to be explored in this case"; however, Appellant fails to explore or explain what they are and how any of those points of law are relevant to his case. Appellant did not raise any constitutional issues before the trial judge. In fact, Appellant changed his plea to responsible before the trial judge. Generally, a plea of guilty or responsible is a waiver of all nonjurisdictional issues.

Having reviewed the record, this Court finds no error.

IT IS THEREFORE ORDERED affirming the judgment of the Phoenix City Court.

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IT IS FURTHER ORDERED remanding this matter for all future
proceedings back to the Phoenix City Court.